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Before the
Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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In the Matter of

HENRY ADAMS

Livingston, Montana

Amendment of Section 73.202(b)

Table of FM Allotments

to Allot Channel 264C to

Livingston, Montana

RM- _____

TO: Chief, Allocations Branch

PETITION FOR RULEMAKING

Henry Adams, by his attorney, hereby respectfully requests the Chief, Allocations Branch to issue a notice of proposed rulemaking, looking towards the amendment of Section 73.202(b), Table of FM Allotments, to allocate Channel 264C to the community of Livingston, Montana. In support thereof, it is alleged:

1. Henry Adams was born on August 20, 1942, in Washington, D.C. He migrated to California, where he has been a resident since 1960, employed in the publishing industry. In 1984, however, Mr. Adams became interested in the State of Montana and purchased property in Livingston Township.

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2. Mr. Adams is deeply interested in owning a radio station of his own and he is convinced that there is a public need for broadcast facilities in the Livingston area. He has, therefore, commissioned the preparation of an engineering study, looking towards the allotment of an FM channel to Livingston and, if such a channel is allocated, Mr. Adams plans to apply for a construction permit for a new station and, if his application is granted, Mr. Adams plans to promptly construct such a station and put it on the air in the public interest.

3. Livingston, Montana is an incorporated community having a 1990 Census population of 6701 persons. Therefore, Livingston clearly qualifies as a community for allotment purposes. Livingston is situated in the southeast portion of the state, approximately 19 miles east of Bozeman (population 22,660). However, Livingston is not a suburb of Bozeman, nor is it a suburb of any other place. Livingston is a completely independent community, having its own businesses, organizations and civic interests.

4. Attached hereto and marked Exhibit A is an engineering report prepared by the consulting firm of E. Harold Munn, Jr. & Associates, Inc. The report demonstrates that Channel 264C can be allotted to Livingston in full conformity with all of the Commission's Rules and Regulations.

5. Henry Adams respectfully requests that the Chief, Allocations Branch issue a notice of proposed rule making, looking

towards the allotment of Channel 264C to the community of Livingston, Montana.

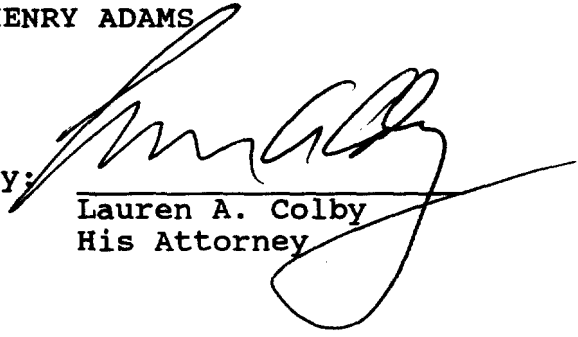
Respectfully submitted,

June 3, 1993

HENRY ADAMS

Law Office of
LAUREN A. COLBY
10 E. Fourth Street
P.O. Box 113
Frederick, MD 21705-0113

By:



Lauren A. Colby
His Attorney

EXHIBIT A

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**PETITION FOR
RULEMAKING**

Request to Add

Channel 264(C)

Livingston, Montana

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E. HAROLD MUNN, JR. & ASSOCIATES, INC.
Broadcast Engineering Consultants
Coldwater, MI 49036

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CERTIFICATION OF CONSULTANT

The firm of E. Harold Munn, Jr. & Associates, Inc., Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan, has been retained for the purpose of preparing the technical data submitted in this report.

The data utilized in this report was taken from the FCC Secondary Database and data on file. While this information is believed accurate, errors or omissions in the database and file data are possible. This firm may not be held liable for damages as a result of those data errors or omissions.

The report has been prepared by or under the direction of the undersigned, whose qualifications are a matter of record before the Federal Communications Commission.

I declare under penalty of perjury that the contents of this report are true and accurate to the best of my knowledge and belief.

E. Harold Munn, Jr. & Associates, Inc.

June 2, 1993

by Virgil M. Royer
Virgil M. Royer, Project Engineer
Wayne S. Reese, President

100 Airport Drive, Box 220
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Broadcast Engineering Consultants
Coldwater, MI 49036

ENGINEERING STATEMENT

In Support of a Petition To Amend §73.202(b)

The firm of E. Harold Munn, Jr. & Associates, Inc., was retained to prepare this Engineering Statement in support of a petition to amend 47 C.F.R. Section 73.202(b), the FM Table of Allotments.

It is proposed to amend the Table to add Channel 264(C), 100.7 MHz for use at Livingston, Montana. For the purpose of this study, the reference coordinates of the community were employed. This site meets the spacings of §73.207(b)(1)(2).

Data contained in this report is responsive to the requirements of the Rules, as amended.

Figure 1 is a pertinent portion of the computer study which demonstrates that, at the reference point listed, and for the class of station proposed, all the required separations are fully met for the allotment of Channel 264(C).

The reference point considered for the study is NL 45°39'45"; WL 110°33'37". This is a point proximate to the city from which the 3.16 mV/m (70 dBu) contour of the proposed facility would encompass the entire community.

It is requested that 47 C.F.R. §73.202(b) be amended as follows.

<u>CITY, STATE</u>	<u>PRESENT</u>	<u>PROPOSED</u>
Livingston, Montana	248C1	248C1, 264C

E. HAROLD MUNN, JR. & ASSOCIATES, INC.
Broadcast Engineering Consultants
Coldwater, MI 49036

FIGURE 1

E. HAROLD MUNN JR & ASSOCIATES
P.O. BOX 220 COLDWATER MI 49036-0220

Livingston, Montana
Class C FM Channel Search

REFERENCE	CLASS C	DISPLAY DATES
45 39 45 N		DATA 04-29-93
110 33 37 W	Current rules spacings	SEARCH 06-02-93
----- CHANNEL 264 -100.7 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KRIC	263C1	Rexburg	ID	206.9	241.94	209.0	32.94
LI CN	43 43 16	111 56 30	75.000 kW	120M	150.4	129.9	
		Ricks College Corporation			BLED840510DA		
>COMMERCIAL CHANNEL OPERATING EDUCATIONAL							
KZMT	266C	Helena	MT	311.5	182.21	105.0	77.21
LI CY	46 44 52	112 19 47	100.000 kW	579M	113.2	65.3	
		Pegasus Broadcasting of Mt.,			BLH841108LT		
KOOZ.C	262C	Great Falls	MT	344.2	224.64	105.0	119.64
CP CN	47 36 26	111 21 27	100.000 kW	301M	139.6	65.3	
		Contemporary Communications			BPH850711PB		
KZMQFM	262C	Greybull	WY	114.5	228.00	105.0	123.00
LI CN	44 48 41	107 55 06	56.000 kW	745M	141.7	65.3	
		Kous-TV, Inc.			BLH881003KD		
KYDZ	211C3	Cody	WY	137.1	172.57	31.0	141.57
LI CN	44 31 29	109 04 06	10.000 kW	-140M	107.3	19.3	
		Park County School District #			BLED861008KB		